



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**PLANNING DEPARTMENT HEARING**

*Promoting the wise use of land*

<b>MEETING DATE</b> October 17, 2014 <b>EFFECTIVE DATE</b> November 1, 2014	<b>CONTACT/PHONE</b> Cody Scheel (805) 781-5157 cscheel@co.slo.ca.us	<b>APPLICANTS</b> Keith Martin & Nancy Stanton	<b>FILE NO.</b> COAL 14-0017 SUB2013-00069
<b>SUBJECT</b> A request by Keith Martin & Nancy Stanton for a Lot Line Adjustment (COAL 14-0017) to adjust the shared lot line between two parcels of 74.24 and 84.78 acres each, resulting in two parcels of 75.96 and 83.06 acres each. The project will not result in the creation of any additional parcels. The proposed lot line adjustment is within the Agriculture land use category and is located at 8865 & 8755 Chimney Rock Road, approximately 1,000 feet northeast of Adelaida Road, and approximately 8 miles northwest of the community of Paso Robles. The site is in the Adelaida sub area of the North County planning area.			
<b>RECOMMENDED ACTION</b> Approve Lot Line Adjustment COAL 14-0017 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 5 Categorical Exemption was issued on September 16, 2014 (ED14-067)			
<b>LAND USE CATEGORY</b> Agriculture	<b>COMBINING DESIGNATION</b> N/A	<b>ASSESSOR PARCEL NUMBERS</b> 014-311-043 & 072	<b>SUPERVISOR DISTRICT(S)</b> 1
<b>PLANNING AREA STANDARDS:</b> None applicable			
<b>LAND USE ORDINANCE STANDARDS:</b> L.U.O. Section 22.22.040 – Subdivision Design Standards for the Agriculture land use category			
<b>EXISTING USES:</b> Single family residences, agriculture accessory buildings & vineyards			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <i>North:</i> Agriculture / Grazing <i>South:</i> Agriculture / Residences, orchards <i>East:</i> Agriculture / Residences, grazing <i>West:</i> Agriculture / Residences, vineyards			
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> The project was referred to: Public Works & Agriculture Commissioner			
<b>TOPOGRAPHY:</b> Gently rolling to steeply sloping		<b>VEGETATION:</b> Grasses, shrubs, oak trees, vineyards	
<b>PROPOSED SERVICES:</b> Water supply: On-site wells Sewage Disposal: Individual on-site septic systems Fire Protection: Cal Fire		<b>ACCEPTANCE DATE:</b> September 10, 2014	
<b>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT:</b> COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

ORDINANCE COMPLIANCE:

BACKGROUND

The lot line adjustment application was submitted because of a property boundary discrepancy that is being resolved by a "Settlement Agreement and Mutual Release" agreed to by the landowners. The "Settlement Agreement and Mutual Release" requires approval of a lot line adjustment. The adjustment involves relatively small acreage exchanges, 1.43 acres from Martin to Stanton and 3.15 acres from Stanton to Martin. The adjustment must first be approved by the appropriate local review authority, in this case the Planning Department Hearing officer.

The applicant is proposing to adjust the shared lot line between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
74.24	Parcel 1 = 75.96
84.78	Parcel 2 = 83.06

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The lot line adjustment will result in the reconfiguration of the shared lot line which allows for a more desirable configuration given the existing location of improvements and the existing fence line. The proposed lot line adjustment will shift the shared north-south property line to align with the existing fence line, and to allow the existing well that serves proposed parcel 2, to be located on parcel 2. The proposed lot line adjustment does not create more development potential than what exists today. Future development must be consistent with applicable County regulations. The project will not result in the creation of any additional parcels.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because proposed Parcel 2 is below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the proposed adjustment is equal to the existing lot line situation and is also consistent with both state and local law.

WILLIAMSON ACT

Both parcels are under the same agricultural preserve, Adelaida Agricultural Preserve No. 1, which covers a large area and many parcels. The proposed lot line adjustment does not affect the boundaries of the agricultural preserve so it is not necessary to amend the boundaries of the agricultural preserve. However, a new land conservation contract for each property is necessary because the Government Code (Williamson Act) requires new contracts to be entered into when

contracted land is adjusted through a lot line adjustment. Also, the legal description for the preserve and contract must match the legal description for the parcel.

AGENCY REVIEW:

Public Works – Recommend approval.

Agriculture Commissioner – The proposal is equal to the existing parcel configuration in terms of agricultural resources.

LEGAL LOT STATUS:

One of the two existing parcels was legally created by the recording of a certificate of compliance for Lot Line Adjustment COAL 04-0217, Parcel 1, Doc. 2005-059313, at a time when that was a legal method of creating parcels. One of the two existing parcels was legally created by a recorded map, Parcel Map CO-80-0126, Parcel #1 (Book 31, Page 1 of Parcel Maps) at a time when that was a legal method of creating parcels.

Staff report prepared by Cody Scheel and reviewed by Terry Wahler, Senior Planner.